## IN THE UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF ALABAMA **SOUTHERN DIVISION**

)
)
) CASE # 1:06-CV-62
)
)
)
)

## DEFENDANT, LAW OFFICE OF SAM STREETER'S MOTION FOR SUMMARY JUDGMENT OR IN THE ALTERNATIVE, MOTION FOR PARTIAL SUMMARY JUDGMENT

COMES NOW, Defendant, Law Office of Sam Streeter (hereinafter referred to as the "Streeter Law Firm"), pursuant to Rule 56 of the Federal Rules of Civil Procedure, and moves this Court to enter Summary Judgment against the Plaintiff and in favor of the Defendant, and for grounds says that there is no genuine issue as to any material fact and that the Defendant is entitled to a judgment as a matter of law.

This Motion is based on the pleadings, the Defendant's Brief In Support of Motion for Summary Judgment, the supporting affidavit of Sam Streeter, attached as "Exhibit "A", and the additional attached supporting exhibits B and C.

Respectfully Submitted.

/s/ W. McCollum Halcomb

W. McCollum Halcomb (HAL030) ASB9223M71W Attorney for Law Office of Sam Streeter HALCOMB & WERTHEIM, PC P.O. Box 12005 Birmingham, AL 35202-2005

/s/ India A. Ramey

India A. Ramey (SMI246) ASB8345D48S Attorney for Law Office of Sam Streeter HALCOMB & WERTHEIM, PC P.O. Box 12005 Birmingham, AL 35202-2005

## **Certificate of Service**

I hereby certify that I have served a copy of the forgoing upon counsel for the Plaintiffs via US Mail, postage prepaid, this the 24th day of October, 2006, to the following address:

David G. Poston Brock & Stout P.O. Box 361117 Enterprise, AL 36331

Gerald A. Templeton The Templeton Group, P.C. 1000 Providence Park Suite, 200 Birmingham, AL 35242

/s/ India A. Ramey

Of Counsel